Superior Court of the State of California
County of Kings
1426 South Drive, Hanford, CA 93230
(559) 582-1010

Judicial Consent to Marry (underage marriage)

When a couple wishes to marry, and at least one *or* both parties are under 18 years of age the following is required:

a.) Each applicant must complete an *Application for Judicial Consent to Marry*.

b.) California State Law (family code 302) requires that a written consent of the parent/legal guardian of each underage person. The *Consent to Marriage* giving your parent's consent must be signed by the parent/legal guardian. This consent shall be signed *in front of the Civil Investigator* unless other arrangements have been made with the Investigator.

c.) California State Law (family code 302) requires a court order granting permission to the underage person to marry, obtained on the showing the court.

d.) California State Law (family code 304) requires premarital counseling of such couple. This form is in this packet named, *Declaration of Premarital Counseling*. This counseling can be done as follows:

    a. through your church

    b. through a private Licensed Marriage/Family/Child Counselor or

    c. through a psychologist

e.) If there is a pregnancy involved: a written verification by a qualified physician be completed, with the anticipated due date of that fact.

f.) A copy each applicant's birth certificate shall be provided, to verify the birthdates.

g.) Each applicant will be evaluated by the Court's Civil Investigator before consideration is given to your consent to marry. Please be aware: these evaluations and judicial reviews usually take from four (4) to eight (8) weeks to complete.

    a. Consent to marry will not be considered by the Civil Investigator until you have fulfilled the requirements for premarital counseling outlined above.

    b. You need to be aware, however, if either applicant is under 14 years of age, there is the likelihood your request to marry will be denied. Special circumstances, however, will be considered.

    c. The natural parent(s) of the minor who is under 18 years of age must accompany the couple to their first appointment with the Civil Investigator.

You need to be aware that the purpose of this law and these procedures are to protect and help you in having the best start possible in your marriage. If the Civil Investigator recommends that you do not marry, a specific reason will be given to you. However, the Judge makes the final decision.

If both parties decide to cancel the process, prior to an order being signed by the Judge, a Request for Dismissal must be signed by both parties and filed with the court.

Forms included in this packet:

Form no.	Name of form:	# of pages
local form	**Application for Judicial Consent to Marry** (x2) (completed by each applicant)	2
local form	**Declaration of Premarital Counseling** (completed by the counselor)	1
local form	**Consent to Marriage** (x2) (completed by a parent or legal guardian of each minor)	1

Filing fee: $ 50.00/per Applicant for a total of $ 100.00

Preparing documents for filing:

❖ All papers must be <u>typed</u> or <u>legibly handwritten</u> in blue or black ink.

❖ Personnel in the Clerk's office have been instructed not to file any papers which are not properly completed or assembled.

Do I make any copies?

Yes, make at least <u>one copy</u> of each completed form for each applicant's records.

What happens after we submit our forms to the court?

❖ After completing, assembling your forms, and paying the filing fee of $100.00 to the clerk's office your case will be opened. The court will retain all original forms for the file.

❖ Any copies submitted to the court upon filing will be stamped with a case number, conformed and returned to you.

❖ You will be instructed to wait to be contacted by the Civil Investigator to begin the evaluation process.

❖ If you have any questions regarding the above procedure, you may contact the Civil Investigator at (559) 924-7757. It is very important that you cooperate fully with the above outlined procedures in order for your evaluation and report to be completed in a timely manner.